

ENTERED

May 04, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEMMONS ENTERPRISE, L.L.C.,

Plaintiff,

VS.

FSKER, INC.,

Defendant.

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CIVIL ACTION NO. 4:22-CV-01487

ORDER

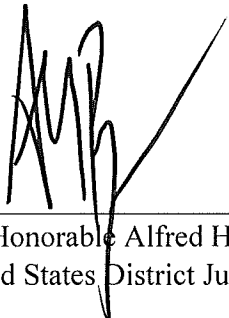
Before the Court is United States Magistrate Judge Yvonne Y. Ho's Memorandum and Recommendation filed on March 27, 2023. Doc. #25. No objections have been filed, and the deadline has passed. The Court has reviewed the Memorandum and Recommendation for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, the Court adopts the Memorandum and Recommendation in its entirety.

Accordingly, the Court GRANTS Defendant Fisker, Inc.'s Motion to Dismiss (Doc. #22) and DENIES Plaintiff Stemmons Enterprise, L.L.C.'s request for specific performance (Doc. #17 ¶¶ 38–39). This case is hereby DISMISSED with prejudice.

It is so ORDERED.

MAY 03 2023

Date


The Honorable Alfred H. Bennett
United States District Judge